

Sydney Grammar School.

SYDNEY GRAMMAR
SCHOOL.

An Act to incorporate and partially endow the
Sydney Grammar School. [2nd December,
1854.]

Preamble.

WHEREAS it is deemed expedient for the better advancement of religion and morality and the promotion of useful knowledge to establish in Sydney a public school for conferring on all classes and denominations of Her Majesty's subjects resident in the Colony of New South Wales without any distinction whatsoever the advantages of a regular and liberal course of education Be it therefore enacted by His Excellency the Governor of New South Wales with the advice and consent of the Legislative Council thereof as follows—

Trustees of a
Grammar School for
Sydney to be
appointed and
incorporated.

1. There shall be nominated and appointed by the Governor with the advice of his Executive Council a body of trustees consisting of the number of persons hereinafter mentioned which body of trustees shall be and is hereby constituted from the date of such nomination and appointment a body politic and corporate by the name of "The Trustees of the Sydney Grammar School" by which name such body politic shall have perpetual succession and shall have a common seal and shall by the same name sue and be sued implead and be impleaded and answer and be answered unto in all Courts of the said Colony and shall be able and capable in law to take purchase and hold to them and their successors all goods chattels and personal property whatsoever and shall also be able and capable in law to take purchase and hold to them and their successors not only such lands buildings hereditaments and possessions as may from time to time be exclusively used and occupied for the immediate requirements of the said school but also any other lands buildings hereditaments and possessions whatsoever situate in the said Colony or elsewhere and that they and their successors shall be able and capable in law to grant demise alien or otherwise dispose of all or any of the property real or personal belonging to the said school and also to do all other matters and things incidental to or appertaining to a body politic.

Not to have power to
alienate or mortgage
lands &c. without
approval of Governor
and Executive
Council.

2. Provided always that it shall not be lawful for the said trustees to alienate mortgage charge or demise any lands tenements or hereditaments to which it may become entitled by grant purchase or otherwise unless with the approval of the Governor and Executive Council of the said Colony for the time being except by way of lease for any term not exceeding thirty-one years from the time when such lease shall be made in and by which there shall be reserved and made payable during the whole of the term thereby granted the best yearly rent that can be reasonably gotten for the same without any fine or foregift.

Trustees to be twelve
in number—six
official and six non-
official.

3. The said body politic and corporate shall consist of twelve trustees of whom six shall be persons holding the following offices respectively that is to say—the offices of Colonial Secretary Attorney General Speaker of the Legislative Council or future Legislative Assembly Provost of the University of Sydney the Principal Classical Professor of the University and the Mathematical Professor therein and the other six of whom shall be laymen not holding offices under the Government or the University Provided that in case any one person shall at the same time hold two of the offices mentioned in the first part of this clause it shall be lawful for the Governor to nominate and appoint one other officer of the Government or University.

Vacancies how to be
filled up.

4. All vacancies occurring by the death resignation removal sickness or incapacity of any of the six official members of the said body politic shall be filled by the nomination and appointment of the
Governor

Sydney Grammar School.

Governor and all vacancies so occurring amongst the other members shall be filled by election such election to be by a majority of votes of the remaining trustees.

5. The said trustees shall have full power to appoint and dismiss all masters or teachers and all officers and servants of the said school and also shall have the entire management and superintendence over the affairs concerns and property of the said school and in all cases unprovided for by this Act it shall be lawful for the said trustees to act in such manner as shall appear to them to be best calculated to promote the purposes for which the said school is to be established and the said trustees shall have full power from time to time to make and also to alter any regulations (so as the same be not repugnant to the general objects and provisions of this Act) touching the discipline of the said school the examinations for prizes and the granting of the same and touching the mode and time of convening the meetings of the said trustees and in general touching all other matters whatsoever relating to the said school.

Trustees to have entire management and superintendence.

Trustees to make regulations touching the discipline of the school and other matters.

6. At some meeting of the trustees in the month of January in each year the members present shall elect one of their number to be their chairman for the ensuing year and in the event of the death or resignation of such chairman during the year for which he shall be so elected the trustees shall elect one other of their number to be the chairman of the body for the remainder of the current year.

As to election of chairman.

7. At every meeting of the said trustees the said chairman if present shall preside and in his absence a chairman of the meeting shall be chosen by the members present or the major part of them and all questions which shall come before the said trustees shall be decided by the majority of the members present including the chairman and such chairman shall in case of an equality of votes have a second or casting vote and no question shall be decided at any meeting unless four trustees at the least shall be present at the time of such decision.

Chairman of meetings.

Questions decided by majority.

Quorum of trustees.

8. By way of permanent endowment of the said school the Governor is hereby empowered by warrant under his hand to direct to be issued and paid out of the general revenue of the Colony to the credit of the said trustees the sum of fifteen hundred pounds by four equal quarterly payments on the first day of January the first day of April the first day of July and the first day of October in every year as a fund for defraying or contributing to the several stipends which shall be appointed to be paid to the several masters or teachers in the said school and to such necessary officers and servants as shall be from time to time appointed by the said trustees and for defraying or contributing to the expense of such prizes as shall be awarded for the encouragement of pupils in the said school or for providing one or more scholarships in the University and for providing or contributing to the formation of a library for the same and for or towards discharging all incidental and necessary current expenditure the first instalment of such endowment to be payable on the first day of April one thousand eight hundred and fifty-five.

Endowment of £1,500 a year for or towards support of masters &c.

9. The Governor is hereby further empowered by warrant under his hand to direct to be issued out of the general revenue of the Colony and paid to the said trustees a sum or sums not exceeding in the whole twenty thousand pounds for the erection of suitable buildings for the said school and for the residence of the head master thereof Provided that the plans and specifications of the buildings to be erected shall first have been laid before the Governor and Executive Council and approved by the Governor by writing under his hand.

£20,000 to be issued out of public Treasury for buildings.

10. A full account of the whole income and expenditure of the said school shall once in every year be transmitted to the Colonial Secretary and laid

Annual accounts to be sent to Colonial Secretary and laid

Secretary

Pennant Hills Tramroad.

before the Legislative Council or Assembly.

Secretary for the purpose of being submitted to the Legislative Council or Assembly of the Colony as the case may be and subjected to such examination and audit as the said Legislative Council or Assembly may direct.

Fees to masters and to treasurer of school demandable under regulations.

11. It shall be lawful for the masters or teachers in the said school in addition to the stipends which they shall respectively receive out of the endowment hereby granted to demand and receive from the parents guardians or friends of the pupils in the school such reasonable fees for instruction and for the treasurer of the school to collect from the pupils on behalf of the said school such reasonable fees for entrance and other charges as shall be from time to time authorized by any regulation made and approved as aforesaid.

Regulations as to residence of pupils.

12. No pupil shall be allowed to attend the said school unless he shall dwell with his parent or guardian or with some near relation or friend approved by the head master of the school or with the tutor or master of a boarding house licensed by the trustees.

No religious tests permitted.

13. No religious test shall be administered to any person to entitle him to be admitted as a pupil in the said school or to hold any office therein Provided always that this enactment shall not be deemed to prevent the making of regulations for securing the due attendance of the pupils for divine worship at such church or chapel as shall be approved by their parents or guardians respectively.

Governor to be visitor.

14. The Governor of the Colony for the time being shall be the visitor of the said school with authority to do all things which pertain to visitors as often as to him shall seem meet.

Regulations as approved by Governor and Executive Council to be laid before Legislative Council or Assembly.

15. All regulations which shall from time to time be made by the said trustees as aforesaid concerning the government and discipline of the said school which shall be in force at the beginning of every session of the said Legislative Council or Legislative Assembly and which shall not have been before that time laid before the same shall within six weeks after the beginning of such session be laid by the Colonial Secretary before the said Legislative Council or Assembly.

Annual reports of proceedings to be sent by trustees to Governor and laid before Legislative Council or Assembly.

16. The said trustees shall once at least in every year and also whenever the pleasure of the Governor shall be signified in that behalf report their proceedings and the proceedings and progress of the school to the said Governor and Executive Council and a copy of every such report shall be laid before the said Legislative Council or Legislative Assembly within six weeks after the same shall have been made if such Legislative Council or Assembly be then sitting or if not then within six weeks next after the meeting of the same.